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Attorneys for Defendants Altria Group, Inc.,
Philip Morris USA Inc., Altria Client Services LLC,
Altria Group Distribution Company, and
Altria Enterprises LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: JUUL LABS, INC., MARKETING,
SALES PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

This Document Relates to:

All Plaintiffs Identified in Exhibit B

Case No.:19-MD-02913-WHO

**NOTICE REGARDING ALTRIA'S
MOTION TO DISMISS WITH PREJUDICE
NON-COMMUNICATING PLAINTIFFS'
CLAIMS**

Hon. William H. Orrick

Date: May 29, 2024

Time: 2:00 pm

**NOTICE REGARDING UPDATED LIST OF
NON-COMMUNICATING PERSONAL INJURY PLAINTIFFS**

Altria Group, Inc., Philip Morris USA Inc., Altria Client Services LLC, Altria Group Distribution Company, and Altria Enterprises LLC (“Altria”) respectfully submit this notice to update the Court regarding the Non-Communicating Plaintiffs whose claims are subject to Altria’s Motion To Dismiss With Prejudice Non-Communicating Plaintiffs’ Claims (D.E. 4216) (the “Motion”).

As previewed during the May 6, 2024 Case Management Conference, after Altria filed its Motion, a handful of personal injury plaintiffs who previously were non-communicative contacted the Personal Injury Settlement Administrator and/or counsel regarding participating in the Personal Injury Settlement. *See* May 6, 2024 Tr. at 29-30. In light of these recent communications, Altria has removed one plaintiff whose case is pending in this MDL from the list of Non-Communicating Plaintiffs to allow for this plaintiff to participate in the Personal Injury Settlement, while reserving all rights to renew the Motion as to this plaintiff as warranted.¹

None of the other Non-Communicating Plaintiffs have filed an opposition or response to the Motion or have otherwise contacted the Personal Injury Settlement Administrator. *See Exhibit A*, Supplemental Declaration from the Personal Injury Settlement Administrator. The claims of the Non-Communicating Plaintiffs listed in *Exhibit B* should be dismissed with prejudice.

Dated: May 22, 2024

ARNOLD & PORTER KAY SCHOLER LLP

By: /s/ David E. Kouba
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INC., PHILIP MORRIS USA INC., ALTRIA
CLIENT SERVICES LLC, ALTRIA GROUP
DISTRIBUTION COMPANY, AND ALTRIA
ENTERPRISES LLC

¹ *Lisa Marie Vail, individually and on behalf of the Estate of Daniel David Wakefield v. Juul Labs, Inc. et al.*, 3:19-cv-06597-WHO. The other newly communicating plaintiffs have cases pending in Judicial Counsel Coordination Proceeding No. 5052.

CERTIFICATE OF SERVICE

I, David E. Kouba, hereby certify that on the 22nd day of May, 2024, I caused to be electronically filed the foregoing **NOTICE REGARDING ALTRIA'S MOTION TO DISMISS WITH PREJUDICE NON-COMMUNICATING PLAINTIFFS' CLAIMS** with the Clerk of the United States District Court for the Northern District of California using the CM/ECF system, which shall send electronic notifications to all counsel of record.

By: /s/ David E. Kouba

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